

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 3448 - HB 3793

March 5, 2012

SUMMARY OF BILL: Prohibits any officer of the Tennessee Wildlife Resources Agency (TWRA), sheriffs, and other deputies from seizing commercial fishing equipment prior to a finding of guilt for a crime.

ESTIMATED FISCAL IMPACT:

Decrease State Revenue - \$2,700/Wildlife Resources Fund

Decrease Local Revenue – Exceeds \$3,000

Assumptions:

- The number of court cases will not increase as a result of this proposed legislation.
- According to TWRA, the agency collected \$148,500 in fine revenue from 7,795 wildlife related violations in FY10-11.
- According to TWRA, approximately three percent of fine revenue was derived from commercial fishing violations, or approximately \$4,455 ($\$148,500 \times 3.0\%$).
- According to TWRA, limiting such seizures to those instances in which a commercial fishing licensee has been proven guilty prior to seizure of commercial fishing equipment will limit evidence in related cases, which is anticipated to result in approximately 60 percent fewer convictions statewide; therefore, the recurring decrease in state revenue is estimated to be \$2,673 ($\$4,455 \times 60.0\%$).
- It is estimated that local law enforcement will also experience a recurring decrease in fine revenue. Such recurring decrease is reasonably estimated to exceed \$3,000 per year statewide.
- The extent of commercial fishing equipment, as seized by TWRA and local law enforcement, which are labeled as contraband and subsequently sold at auction, is considered not significant; therefore, any decrease in state and local revenue associated with fewer sales of seized fishing equipment is estimated to be not significant.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/jdb